

**Amendment No. 1 to HB2909**

**DeBerry J**  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 3111**

**House Bill No. 2909\***

by deleting all of the language after the enacting clause, and by substituting instead the following:

SECTION 1. Tennessee Code Annotated Section 37-1-159, is amended by deleting from subsection (a) the words "that shall hear the testimony of witnesses and try the case de novo" wherever they appear therein.

SECTION 2. Tennessee Code Annotated Section 37-1-159, is further amended by adding the following language as a new subsection (d), by redesignating the subsequent subsections accordingly, and by modifying the cross references in current subsections (d) and (e) to reflect the redesignation of those subsections:

(d) Review of findings of fact by the juvenile court in an unruly child proceeding or dependent and neglect proceeding shall be de novo upon the record of the juvenile court, accompanied by a presumption of the correctness of the finding, unless the preponderance of the evidence is otherwise. Findings of delinquency by the juvenile court shall be set aside if the evidence is insufficient to support the findings by the court of delinquency beyond a reasonable doubt. Dispositions of all juvenile court proceedings shall be reviewed for an abuse of discretion by the juvenile court.

SECTION 3. This act shall take effect on July 1, 2008, and shall apply prospectively only, the public welfare requiring it.